

**TOWN OF SALEM
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, JUNE 15, 2021 – 7:00 P.M.
SALEM TOWN HALL – CONFERENCE ROOM 1**

PRESENT

Vernon Smith, Chair
Margaret Caron, Secretary
Carl S. Fontneau
Diba Khan-Bureau (8:11 p.m.)
Walter Volberg
Michael Flugrad, Alternate (*seated*)

ABSENT

John Gadbois, Vice Chairman
Thomas Reith
Jennifer Lindo, Alternate

ALSO PRESENT

Town Planner Justin LaFountain
Selectwoman Liaison Sue Sullivan (8:22 p.m.)

1. CALL TO ORDER

Chairman Smith called the meeting to order at 7:04 p.m.

2. PLEDGE OF ALLEGIANCE

Alternate Commissioner Flugrad was seated for Full Member Commissioner Gadbois.

AMENDMENTS TO THE AGENDA

**M/S/C: Smith/Volberg, to move Item 7, New Business, to precede Item 6, Old Business.
Discussion: None. Voice vote, 5-0, all in favor.**

3. PUBLIC COMMENT: *none*

If preferred, public comment may be submitted in writing through the contact form at this link: <https://www.salemct.gov/user/127/contactor> via the white drop box in front of Town Hall, prior to 7pm.

4. PUBLIC HEARING:

- a. ZRA 21-03:** Shane P. Shilosky, 260 Church Road, Lebanon, CT. Application to amend the Salem Zoning Regulations to permit storage warehouses in the General Business Zone. *Continued from May 25, 2021*

M/S/C: Fontneau/Volberg, to open the Public Hearing for ZRA 21-03: Shane P. Shilosky, 260 Church Road, Lebanon, CT. Application to amend the Salem Zoning Regulations to permit storage warehouses in the General Business Zone. Discussion: None. Voice vote, 5-0, all in favor.

Town Planner LaFountain stated that the Applicant has amended the application to be listed under Section 7.1A – General Business Zone, Special Exceptions, per the

Commission's recommendation. The previous application would have allowed storage warehouses to be constructed within the zone as a permitted use and would require the review and approval of a site plan only. The amended application, if approved, would require all applications to be presented at a Public Hearing and would allow the Commission to have additional discretion, including whether the proposed development aligns with the character of the town. He reminded the Commissioners that the application is not site-specific.

Applicant Shane Shilosky presented the application to the Commission, adding that he plans to construct three (3) 30' x 130' tan buildings with red roofs, comprised of 30 units each. No detailed site plans have been developed to date.

Commissioner Fontneau reminded the Commission that their approval would allow for storage warehouses to be constructed in all of the areas that are zoned for business. While the Commission is aware of the proposed location to which the application would pertain, it cannot be considered. He stated that it was his suggestion to amend the application to allow the neighboring properties to be informed and comment on any such proposed developments. It was confirmed that cold storage locker plants would not be included in the amendment.

Public Comment:

Chairman Smith recited a letter received by Sue Spang, Hartford Road, who stated her opposition to the proposed text amendment, stating that the town's Highway/Commercial Zones already allow for such activities and should be sufficient. Should the application be approved, it should be, at the very least, as a special exception, per Commissioner Fontneau's suggestion. In addition, she felt that an additional provision stating that the storage units be completely hidden by landscaping or similar be included as part of the site plan approval. She questioned whether the neighboring properties located adjacent to the business zones were notified of the proposed text amendment and the revenue the town would receive from such a development. She also cited various sentences from the town's Plan of Conservation and Development to support her argument.

M/S/C: Volberg/Fontneau, to close the Public Hearing for ZRA 21-03: Shane P. Shilosky, 260 Church Road, Lebanon, CT. Application to amend the Salem Zoning Regulations to permit storage warehouses in the General Business Zone. Discussion: None. Voice vote, 5-0, all in favor.

5. APPROVAL OF MINUTES OF PREVIOUS MEETING(S):

a. Meeting Minutes: May 18, 2021

M/S/C: Smith/Fontneau, to approve the May 18, 2021 Planning & Zoning Commission Regular Meeting Minutes, with the following amendments:

Page 4, Item 7(a):

Town Planner LaFountain reported that the suggested changes, including how affordable housing is attained and the town's prospects for attaining those goals, per ~~§8-20~~ §8-30 of the State Statutes (pages 8-9), have been added to the Plan.

Page 7, Item 7(d):

1. ~~Political signs~~ *A political sign* under six (6) square feet in size and no more than three (3) feet high can be erected on the frontage of residential lots without a permit from the ZEO as long as it is posted in the period from October 1 through November 15 and the sign is located on the property of the property owner.

Discussion: None. Voice vote, 5-0, all in favor.

b. Meeting Minutes: May 25, 2021

M/S/C: Smith/Volberg, to approve the May 1825 2021 Planning & Zoning Commission Regular Meeting Minutes. Discussion: None. Voice vote, 5-0, all in favor.

6. NEW BUSINESS

- a. **ZRA 21-03:** Shane P. Shilosky, 260 Church Road, Lebanon, CT. Application to amend the Salem Zoning Regulations to permit storage warehouses in the General Business Zone.

While stating his intention to vote in favor of the application, Commissioner Fontneau also expressed his reservations. He hopes that any applicants who propose to construct a storage unit facility work amicably with the Commission and staff with respect to the architecture of the buildings and design of the site. While such facilities are great opportunities for enterprise and economy, they are not always well-planned, well-situated, or visually pleasing.

Chairman Smith expressed his concerns regarding the influx of developments in the town, which now includes an approved storage unit facility on Route 85 (not yet constructed, approved in 2017), a truck depot on Route 82 (west of the Round-a-Bout), and an age-restricted housing development on Route 82 (east of the Round-a-Bout). While such developments might appeal to entrepreneurs, they do not enhance the rural character of the town.

In response to Ms. Spang's letter regarding the revenue that would be gained by the town, Town Planner LaFountain stated that the land, structures, pavement, and office space would be taxable.

Commissioner Caron reminded the Commission that the application is for a text amendment to the Regulations and not for a specific piece of property.

Town Planner LaFountain recommended that Commissioner Flugrad consider abstaining from voting, unless he has familiarized himself with the application, which was initially presented during their last meeting for which he was not present.

Chairman Smith recited the following from Chapter 2, Vision Statement, from the Town's POCD, as cited by Ms. Spang:

Salem will work to reduce dependence on residential property taxes by encouraging economic development that:

- Is concentrated in appropriate areas
- Maintains or enhances the Town's character
- Promotes attractive building designs incorporating common traditional elements
- Provides conveniences for the community
- Attracts businesses that draw customers to Salem
- Balances the economic development with preserving our natural resources

M/S/C: Fontneau/Caron, to approve Application ZRA 21-03: Shane P. Shilosky, 260 Church Road, Lebanon, CT. Application to amend the Salem Zoning Regulations to permit storage warehouses in Section 7.1A.11, General Business Zone, Special Exceptions, effective July 15, 2021. Discussion: None. Voice vote, 3-1-1. Voting in Favor: Commissioners Caron, Fontneau, and Volberg. Voting in Opposition: Commissioner Smith. Voting in Abstention: Commissioner Flugrad.

b. Excavation Permit Renewals

Town Planner LaFountain reminded the Commission that excavation and campground permit renewal applications are submitted to the Zoning Enforcement Officer (ZEO) on an annual basis. Once received, the ZEO reviews the application, visits the site, and ensures that they are in compliance and are eligible for a waiver. Should they not be in compliance, a Public Hearing would be required and the quarries would be required to present their application to the Commission.

M/S/C: Fontneau/Smith, to approve the Excavation Permit Renewals for Renz Quarry, G's Ruff Stuff Quarry, Getty Granite, and Henrici Excavating, which meet the conditions for a waiver, per Section 14.6(k) of the Salem Zoning Regulations. Discussion: None. Voice vote, 5-0, all in favor.

c. Campground Permit Renewals

M/S/C: Fontneau/Smith, to approve the Campground Permit Renewals for the Witch Meadow Campground, Indianfield Cooperative Campground, Sna-Z Spot, and Salem Farms Campground. Discussion: None. Voice vote, 5-0, all in favor.

7. OLD BUSINESS

a. Plan of Conservation and Development (POCD)

The Commission reviewed and discussed the preliminary results of the POCD Survey. 283 or approximately 8% of the town's population responded to the survey. Six of the responses received were hard copy submissions. Approximately 21 respondents, excluding the hard copy submissions, did not answer the first question (date of birth).

Commissioner Khan-Bureau entered the meeting at 8:11 p.m.

POCD Reports

Economic Development Commission (EDC) – Commissioner Fontneau provided a draft of the Goals and Action Steps for the Economic Development section that was discussed by the EDC. The draft exemplifies the format he is proposing for the POCD. He plans to create the same type of draft for the Housing section, utilizing some of the information they have received from the survey and the recent legislation.

Inland Wetlands & Conservation Commission (IWCC) – Commissioner Khan-Bureau reported that she briefly discussed the POCD with the IWCC, which will review and discuss their contribution to the document. The item will be included on their monthly agendas. Commissioner Fontneau will forward his suggestions for the section to Commissioner Khan-Bureau for consideration.

Town Infrastructure & Services – Commissioner Fontneau will forward his suggestions for the section to Commissioner Flugrad for consideration.

Housing – Commissioner Fontneau reported that he learned from the Assessor that the number of accessory apartments is difficult to determine due to the town's software program, which considers accessory apartments as accessory structures, which includes sheds, swimming pools, and the like. In addition, accessory apartments are not included as part of the State's affordable housing equation and a deed restriction would need to be placed on the property in order to be considered as such.

PA-490 and 10 mil land – Commissioner Fontneau reported that there are 90 PA-490 properties and 1-10 mil land in the town.

Selectwoman Liaison Sullivan entered the meeting at 8:11 p.m.

Board of Education – Chairman Smith volunteered to be the Liaison to the Board of Education, with respect to the school infrastructure, buildings, and regionalization of the school. He will work with Commissioner Flugrad who is working on the town infrastructure.

Vision Statement – Commissioner Caron agreed to work on the Vision Statement.

8. ZONING ENFORCEMENT OFFICER'S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT – no report

9. TOWN PLANNER REPORT

Town Planner LaFountain provided and reviewed a memo concerning the newly approved legislation regarding:

Accessory Dwelling Units – Though the town meets most of the requirements for accessory dwelling units, the town has the option to opt out of this Statute. Differences include the square footage of the unit, and other certain criteria that can no longer be required. Changes to the section are required if town does not choose to opt out.

Fair Fees for Multi-family and Affordable Housing Reviews – no concerns

Strengthens Obligation to Zone to Enable Housing Opportunities – might be beneficial to incorporate new ideas

Required/Allowed Goals and Considerations – changes required

Evaluation of Traffic Impacts – no changes required

Zoning Provisions Not Allowed – removal of certain sections required

Reduced Parking Requirements – The town may opt out of this Statute, otherwise revisions are required

Explicit Authorities for Overlay Zones, Floating Zones, and Planned Development Districts, and Energy Conservation – no changes required

Mobile Homes – revisions required

Certification of Zoning Enforcement Officers – no concerns

Training for Planning and Zoning Commissioners – Commissioners will need to plan to receive training by 2024

Affordable Housing Plans – currently in progress

In response to Chairman Smith regarding the marijuana bill, Town Planner LaFountain stated that the bill, as currently written, might allow the town to opt out. Otherwise, marijuana facilities would be allowed in any zones where retail establishments are allowed.

10. CORRESPONDENCE – *no report*

11. PUBLIC COMMENT – *no report*

12. PLUS DELTAS:

Hard copies of the Agenda Packet will no longer be available prior to the meeting date.

13. ADJOURNMENT

**M/S/C: Khan-Bureau/Caron, to adjourn the meeting at 8:42 p.m. Discussion: None.
Voice vote, 5-0, all in favor. Meeting adjourned.**

Respectfully Submitted by: Agnes T. Miyuki, Recording Secretary for the Town of Salem